

AMENDED IN ASSEMBLY APRIL 28, 2010

AMENDED IN ASSEMBLY APRIL 8, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

## ASSEMBLY BILL

**No. 2679**

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**Introduced by Assembly Member Eng**

February 19, 2010

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An act to add Chapter 2.9 (commencing with Section 15814.50) to Part 10B of Division 3 of the Government Code, relating to public buildings.

### LEGISLATIVE COUNSEL'S DIGEST

AB 2679, as amended, Eng. Public buildings: energy and water: consumption reductions.

The State Building Construction Act of 1955 authorizes the State Public Works Board to acquire, and to engage in the construction of, cogeneration equipment, alternative energy equipment, or conservation measures, and any combination thereof, and to enter into energy service contracts at any structure, building, facility, site, or work used, owned, or acquired by state agencies, subject to specified criteria. Existing law also requires that all new public buildings be models of energy efficiency and be designed, constructed, and equipped with all energy efficiency measures, materials, and devices that are feasible and cost-effective or the less of the energy efficiency measure.

This bill would require all public buildings, as defined *to be state public buildings*, to conform to a ~~15~~ 10-year compliance schedule to achieve reductions in energy and water consumption and to maintain specified water and energy reduction levels on and after January 1, 2025, ~~and 2030, respectively~~. *The bill would require all newly*

*constructed public buildings to have net zero energy consumption or be grid neutral on and after January 1, 2030.* The bill would require, on or before January 1, 2013, each public entity operating a public building to provide to the Department of General Services a certified onsite assessment of the facility's energy and water consumption levels. The bill would require applicable public entities to adopt and implement processes outlined in the Green Building Action Plan and to ensure that these processes are consistent with other efficiency measures outlined in existing law. The bill would impose a reporting requirement on the Department of General Services with respect to the attainment of the energy consumption and water use reduction targets.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. The Legislature finds and declares all of the
- 2     following:
- 3     (a) Transitioning California public facilities to energy
- 4     independence will help stabilize California's General Fund
- 5     spending on energy operational costs.
- 6     (b) The reduction of operational costs will assist in getting public
- 7     sector workers back to work.
- 8     (c) The transition to energy independence will create sustainable
- 9     private sector jobs in manufacturing, sales, and the skilled trades.
- 10    (d) Water conservation will reduce the impact of water use on
- 11    all water sources and will help balance the use of water effectively
- 12    for agriculture, industrial, and personal daily life.
- 13    (e) Green building is one of the best strategies for meeting the
- 14    challenge of climate change because the technology to make
- 15    substantial reductions in energy and water already exists.
- 16    (f) Modest investment in energy saving and other climate
- 17    friendly technologies can contribute to carbon emission reductions
- 18    and yield buildings and communities that are environmentally
- 19    responsible, profitable, and healthier places to live and work.
- 20    (g) Clean energy, green infrastructure, and environmental
- 21    protections are all important cornerstones to consider in job
- 22    creation initiatives.
- 23    (h) The state can stimulate the market by investing in clean
- 24    energy that will encourage stable, long-term economic growth and

1 job creation while reducing carbon emissions, protecting natural  
2 resources, and promoting development in needed areas.

3 (i) The Public Utilities Commission has conveyed a vision that  
4 commercial buildings will be put on a path to zero net energy by  
5 2030 for all new buildings and many existing ones. Innovative  
6 technologies and practices will dramatically grow in use through  
7 a combination of technological development, financing and  
8 incentives, and market demands.

9 SEC. 2. Chapter 2.9 (commencing with Section 15814.50) is  
10 added to Part 10B of Division 3 of the Government Code, to read:

11  
12 CHAPTER 2.9. ENERGY AND WATER USE REDUCTIONS IN PUBLIC  
13 BUILDINGS  
14

15 15814.50. For purposes of this chapter, the following terms  
16 shall have the following meanings:

17 (a) "Established baseline measurements" means the baseline  
18 measurements of electricity and water consumption levels from  
19 January 1, 2006, to December 31, 2008, inclusive, established by  
20 public agencies operating public buildings pursuant to subdivision  
21 (b) of Section 15914.51.

22 (b) "Public buildings" means ~~state, county, city, and city and~~  
23 ~~county~~ public buildings funded with money from the General Fund.

24 (c) "Public entity" means a ~~state, county, city, or city and county~~  
25 public entity that operates a public building.

26 (d) "~~Retro-commissioning~~" ~~or~~ "~~existing building~~  
27 ~~commissioning~~" means the systematic, documented process that  
28 identifies low-cost operational and maintenance improvements in  
29 existing buildings and conforms the buildings to the design  
30 intentions of its current usage.

31 15814.51. (a) All public buildings shall conform to the  
32 following compliance schedule to achieve reductions in energy  
33 and water consumption:

34 (1) On or before January 1, 2015, reduce energy consumption  
35 from the established baseline measurements by 15 percent and  
36 water consumption by 10 percent.

37 (2) On or before January 1, 2020, reduce energy consumption  
38 from the established baseline measurements by 30 percent and  
39 water consumption by 20 percent.

(3) On or before January 1, 2025, reduce energy consumption from the established baseline measurements by 60 percent and water consumption by 30 percent.

~~(4) On or before January 1, 2030, all existing and new public building facilities shall have net zero energy consumption or be grid neutral.~~

(b) (1) On and after January 1, 2025, all public buildings shall ~~maintain the water use reduction level specified in paragraph (3)~~ *maintain the energy consumption reduction and water use reduction levels specified in paragraph (3) of subdivision (a).*

~~(2) On and after January 1, 2030, all public buildings shall maintain the energy consumption reduction level specified in paragraph (4) of subdivision (a).~~

*(2) On and after January 1, 2030, all newly constructed public buildings shall have net zero energy consumption or be grid neutral.*

(c) In order to meet the compliance schedule specified in subdivision (a), each public entity operating a public building shall establish a baseline measurement of electricity and water consumption levels from January 1, 2006, to December 31, 2008, inclusive.

15814.52. (a) On or before January 1, 2013, each public entity operating a public building shall provide the Department of General Services with a certified onsite assessment of the facility's energy and water consumption levels.

(b) (1) The assessment required pursuant to subdivision (a) shall include, but not be limited to, a customized written report. The report shall include a list of recommended retrofits to improve energy efficiency and reduce water consumption and shall also indicate the grant amounts, both federal and state, made available for each eligible upgrade to the facility to carry out these energy and water saving improvements, if applicable.

(2) The assessment shall be conducted by a private or public entity using methodology and building commissioning guidelines approved by the State Energy Resources Conservation and Development Commission and the Department of Water Resources.

15814.53. In complying with the requirements of this chapter, all applicable public entities shall do both of the following:

(a) Adopt and implement processes outlined in the Green Building Action Plan, as that plan accompanies the Governor's

1 Executive Order S-20-04, and to include additional processes for  
2 the achievement of reduced water ~~reduction~~ and energy  
3 consumption.

4 (b) Adopt processes that are consistent with energy efficiency  
5 measures outlined in statutes, regulations, and agency guidelines.

6 15814.54. Each public entity operating a public building shall  
7 employ retro-commissioning, ~~existing building commissioning,~~  
8 or continual followup and analysis of completed improvements  
9 according to the five-year schedule established in Section 15814.51  
10 ~~or~~ and whenever major energy or water consuming systems or  
11 controls are replaced.

12 15814.55. Financing for the projects undertaken pursuant to  
13 this chapter shall maximize the use of outside financing, including,  
14 but not limited to, existing loan, lease, energy efficiency, and  
15 retirement investment programs.

16 15814.56. (a) Notwithstanding Section 10231.5, the  
17 Department of General Services shall annually report to the  
18 Legislature and the Governor on the progress toward attaining the  
19 energy consumption and water use reduction targets in public  
20 buildings pursuant to this chapter and recommend any changes to  
21 ensure that these goals are met.

22 (b) A report submitted pursuant to subdivision (a) shall be  
23 submitted in compliance with Section 9795.